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BISHOP ONDERDONK'S STATEMENT.

A STATEMENT

OF

FACTS AND CIRCUMSTANCES

CONNECTED WITH THE

RECENT TRIAL

OF THE

BISHOP OF NEW-YORK.

NEW-YORK:

HENRY M. ONDERDONK,
25 John Street.

PHILADELPHIA:—GEORGE S. APPLETON,
148 Chesnut-Street.

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Entered according to act of Congress, A. D. 1845, by HENRY M. ONDERDONK, in
the Clerk's Office for the Southern District of New York.

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Portions of the following Statement having been read to several friends, the desire has been expressed to have it more generally communicated to the diocese. It is therefore now made public.

B. T. O.

New-York, Jan. 15, 1845.

STATEMENT OF FACTS, &c.

On the first day of last October, I left home for the city of Philadelphia, to attend to my duties as a member of our General Ecclesiastical Convention, which was to meet in that city. The Convention of my own diocese had just closed its annual session. It had been unusually large, and distinguished by a very marked degree of unity and harmony. The circumstances under which it assembled, were such as to render its proceedings a very special proof of the kindest feelings of confidence and affection on the part of the clergy and laity of the diocese, toward their Bishop. The reports laid before it, and there made to me, gave strong evidence of the divine goodness in blessing the diocese with a large measure of spiritual and temporal good.

Rejoicing in the consolation and encouragement thus afforded, I repaired to the General Convention, and gave myself to its duties in a spirit of humble and grateful devotion to the Church. Soon, however, it became manifest, from the deportment of several of my Right Reverend brethren, that they had somewhat against me. They said nothing. Not a word did I hear of any rumors or accusations against me ; not a word of a brother's anxiety to be set right ; not a word of fraternal warning, caution, or admonition. Cold, repulsive, discourteous manner, told a dark and uncertain tale on which christian converse might and should have thrown light.

Some six or seven days after the opening of the Convention, when the House of Bishops were about coming to order, Bishop Meade approached me, and suggested that I had better leave the House. I expressed my surprise, and asked why he made the suggestion. He said he could not explain the reasons, but again urged me to absent myself. On my repeating my sur-

prise at a proposition so dark and suspicious, and so little comporting with the courtesy of a gentleman, the duty of a friend and brother, and the proprieties of a Christian, he said that if I continued in the House my feelings might be hurt. This increased my surprise, and I *demand*ed of him his reasons for so strange a procedure. He hesitated about giving any explanation. I warmly expostulated with him on the injustice and wickedness of the course he was pursuing. At length, as if reluctantly compelled, he said that there were reports unfavorable to my character, respecting which he wished to take the counsel of the Bishops. I felt what I trust was just indignation, and expressed myself to this effect:—Now my course is clear. I will not shrink. I will remain at my post. If any man has aught against me, let him look me in the face, and say what it is. I also spoke strongly of his unworthy design of inducing me to withdraw, that he might, in my absence, make my character and conduct the subject of discussion in the House of Bishops. He replied, *Not in the House of Bishops but before the Bishops informally!!* This unholy evasion was the subject of severe remarks; but I trust not more severe than it deserved. I asked what were the charges against me? He said he was not at liberty to tell; and there our conversation ended. This was all I ever heard from this brother of his having aught against me until he was about to become one of my presenters for trial. Yet I have good evidence that Bishop Meade had, for years, been speaking against me, and contributing towards public rumor to my prejudice.

After some time Bishop Meade came to me again, and said in substance, *You were right. I will have nothing more to do with the matter.* THEY MUST ATTEND TO THEIR OWN BUSINESS. These last words satisfied me that he had been acting in concert with others. And when we consider the darkness and secrecy with which *he acted his part*, how can an honorable and christian man think otherwise than that he was connected with a *conspiracy against me!*

On, I think, Monday, October 14th, the Presiding Bishop in his place in the House of Bishops, held in his hand a paper, of

which a copy had been previously sent to me, directed to him as President, which he asked if it was the pleasure of the House to have read. Its purport was demanded by one of the Bishops. Bishop Chase, the Presiding Bishop, said that it related to the character and conduct of the Bishop of New-York, and he asked me if I wished to retire. Of course, so extraordinary an inquiry, was answered in the negative. Earnest remonstrance was made by several of the Bishops against the propriety of such a paper having been brought into the House, and against its being received, opened, or read; because it was uncanonical and disorderly to bring a Bishop's character under the official notice of his brethren, except in the mode pointed out by law. The ultimate result was a refusal to receive the document, and its being returned unopened to the persons who had presented it. I need hardly say, that I felt myself deeply injured by the Presiding Bishop in his allowing himself to be an agent in so irregular and unjust a procedure, as bringing such a document into the House.

On or about Thursday, October 17th, I understood that a number of affidavits had been procured by the Rev. James C. Richmond, of Rhode Island, injurious to my character, and were placed in the hands of Bishop Elliott.

Of Mr. Richmond it is unnecessary that I say much. His erratic peculiarities are well known. He had but a few weeks before, called on me, and expressed a warm desire to return to my diocese, *that he might be my friend and stand by me in my troubles*. I have since heard of his having expressed himself of me in terms of hostility, for the letter which I wrote to the Archbishop of Canterbury unfavorable to his well known project of going as a volunteer Bishop to the Turks; and also for my not sanctioning his desire to preach in one of the public squares in this city. He was now employed for my destruction, and told a clerical brother, the Rev. Mr. Van Bokkelen, *that his expenses were paid*.

On Tuesday October 22d, Bishop Ives informed me that he had heard the affidavits read. I understood that certain of my friends had been very urgent for an opportunity being allow-

ed them and me of either seeing or hearing them. This was sternly resisted until October 22d. Then, unknown to me, they were read to three of my friends not designated by myself. Here was certainly a piece of great injustice, that being denied either a sight or hearing of these affidavits, I should not even be allowed to choose the friends who should hear or see them in my behalf.

From what Bishop Ives told me of his recollection of the affidavits, I said at once that they contained misrepresentations and gross exaggerations. I told Bishop Ives, moreover, that I was confident that if I could have a conversation with Bishop Elliott, including an opportunity of seeing or hearing the affidavits, I could make such statements and explanations as he would see to have a just claim upon his consideration in reference to the question, whether there was ground for presentment. I asked Bishop Ives to request of Bishop Elliott, for me, such an interview. The request was made and refused. The most solemn assurance and pledge of honour, however, were given by Bishop Elliott, that he would not become a presenter until my friends and myself should have the opportunity which I asked. I complained afterwards to Bishop Doane, of what I thought the unjust and ungenerous course of Bishop Elliott in refusing me a sight or hearing of the charges, and an opportunity of explanation. Bishop Doane sympathised with my view of the case, and promised to speak to Bishop Elliott. He did so, and the result was the same refusal for the present, and the same promise and pledge that my request should be met before he (Bishop Elliott) would act as a presenter.

I was told, further, that besides the affidavits then in hand, a large number of others would be forthcoming by the following Friday morning, October 25th. My calls at home rendered it necessary for me to leave Philadelphia on the morning of Thursday 24th. In New York, Bishop Ives, who had come on about the same time, observed to me that I need be under no apprehension of the presentment being made without my friends and myself having the desired opportunity of con-

sidering and commenting upon the charges, as Bishop Elliott was in honor bound to see that such opportunity should be given.

Bishop Ives left New York on Friday 25th, the day until which Bishop Elliott (with whom it was now understood Bishops Meade and Otey were united,) was to wait for the expected large addition of affidavits. On Monday 28th, I received a letter from Bishop Ives, dated in Philadelphia on the 26th. *The promised new affidavits had not arrived.* Bishop Ives had asked Bishop Elliott if he would be willing to be a presenter. That must depend, he said, upon evidence *yet to be produced.* It is believed that not a single additional affidavit was used for the presentment.

On Wednesday, October 30th, the Bishops met in the General Theological Seminary, New York, as its Visitors. It had been told me a day or two before, on the authority, I think, of Bishop Otey, that the three Bishops would probably come to a determination on Friday, Nov. 1st. I afterwards learned from Bishop Doane, as the result of a conversation with them, that a presentment would probably be made on Friday or Saturday.

It soon came to my knowledge that certain persons—Mr. John Jay of this city, and Mr. C. G. Memminger of Charleston, S. C., then in this city, being particularly named—were going about investigating rumors against me, and for that purpose calling on families where they had reason to hope they might hear something to my disadvantage. The three Bishops, meanwhile, waiting in readiness to receive any thing which might thus be brought to them.

The expected Friday and Saturday passed without my receiving a presentment. On Sunday, November 3d, Bishop Kemper told me that he had, a day or two before, spoken to the Senior Bishop on the subject; who told him that he had notified the three Bishops that he should leave town the following Tuesday, previously to which he would be in readiness to receive any communication from them. On Monday 4th, Bishop Kemper told me that he had on that day seen Bishop Otey, who told him that the next day, Tuesday 5th, 10 o'clock,

A. M., had been fixed on as the time for bringing the matter to an issue. On the evening of that day, at about 10 o'clock, I received the following letter from the three Bishops:—

“NEW YORK, NOVEMBER 5, 1844.

“*Right Reverend and Dear Brother,—*

“During the investigation of the painful charges, which have been laid before us, affecting the purity of your conduct, a short pastoral address to the Clergy and Laity of your Diocese, has been handed us, which leads us to suppose, that notwithstanding the clear definition of the position in which we now stand in relation to yourself, made in your presence in the House of Bishops, you misunderstand that position, and assume it to be connected with persons and circumstances with which it has no concern whatever.

“These charges, you may remember, were laid before the House of Bishops in a memorial purporting to come from two highly respectable clergymen, and three equally respectable laymen of the Church, and all holding the responsible office of Trustees of the General Theological Seminary. Of these memorialists, two or three had been solemnly charged by the Diocese of South Carolina to investigate rumors affecting the welfare of the Seminary; and in the course of that investigation, these charges against your moral purity had come before them in such a responsible shape, that they felt compelled, by a sense of duty, to lay them before the House of Bishops as Visitors of the Seminary. You may remember likewise, that upon the appearance of that memorial, an excited discussion was likely to arise respecting the right of the Bishops to receive such a paper coming in such a shape, when one of us, your brethren, and in your presence, submitted certain questions determining the position of any three Bishops, who might entertain for presentment the charges of the said memorialists. These questions laid over for a whole day, during which the propositions of the Bishop of Western New York, respecting alterations in the Constitution of the Foreign and Domestic Missionary Society, were discussed; and upon the next morning a full and free discussion was had in your presence, you yourself taking part in the conversation, in which these points were considered as combining the views of the House of Bishops:

“1. That the three Bishops presenting occupied very much the position of a grand jury, who are to take care that the evidence submitted to them was such as to make out a *prima facie* case against the accused.

“2. That these Bishops should not be considered justifiable in presenting except upon the testimony of responsible persons, delivered before themselves

personally, or duly witnessed before some civil magistrate qualified to administer an oath.

"3. That the acts charged, or if constituting a sequence, some of them at least, should come within a period of time not barred by an equitable statute of limitations.

"Under these circumstances, and with these views, we, as your brethren, and with the purpose of shielding you from rumors which were deeply affecting your character, and preventing a public exposure of you upon *ex parte* evidence, as well as for the protection of the House of Bishops against the imputation of refusing to listen to charges against any one of its body, have been placed in the painful position which we now occupy in relation to yourself. We can assure you that we have none other than the kindest feelings towards you as a man, and trust in God that you will be enabled to answer to the satisfaction of the House of Bishops the charges which we shall feel bound, as things now appear, to present against you to the Bishops of the Protestant Episcopal Church.

"From your pastoral, you seem to labor under another misapprehension, which we hasten to remove. And that is, that there has been any secrecy in this matter, or any hunting after evidence on our part. Every paper received by us in Philadelphia was frankly and freely read by one of our number to Bishop Ives, Dr. Wainwright, and Dr. Berrian, with the understanding that their contents should be communicated fully to yourself, and with the promise which we now perform, that no final action should be had in this case, until you and your friends had been advised of the same. Since our arrival in New York, we have not been collecting, but receiving and sifting testimony; and by this caution, have been enabled to clear up, satisfactorily to ourselves, one of the most disagreeable of the charges which had been laid before us. We are compelled, however, to state, that enough remains, as will appear from the articles accompanying this communication, together with the names of the witnesses, to render it incumbent upon us to lay the matter before the House of Bishops, that you may, God helping you, forever put at rest these charges against your moral purity, or else receive humbly the punishment which may be meted out to you in the premises.

"We sincerely trust that you will not misconceive our motives, nor misunderstand our course of action. Our desire is, we repeat it, for your sake and the Church's sake, to bring out the truth and nothing but the truth, and to pray you to help us in it, that your character may stand before the world, as that of a Christian Bishop should, blameless and spotless.

"We have delayed making this communication until we ascertained, satisfactorily to ourselves, that it was necessary to trouble you at all upon this painful matter.

"And now commending you to God, we remain,

"very sincerely and affectionately,

"your brethren in the Episcopate,

"WILLIAM MEADE, D. D.

"J. A. H. OTEY,

"STEPHEN ELLIOTT, JR."

The above letter was accompanied by a document containing—not copies of the affidavits, which I had particularly desired to see, and the granting of the request to see which had been guaranteed by Bishop Elliott's promise and pledge, but—the charges intended to be embodied in the presentment; and a verbal message that they would receive any communication from me *the next morning at ten o'clock*.*

This was the only redemption of Bishop Elliott's repeated pledge, that before the affidavits were used for the purpose of presentment, any request should be granted for my friends and myself to see or hear them, with opportunity of offering to the presenters explanations or counter-statements. My friends in this city were patiently and respectfully waiting, in sure expectation of an honorable redemption of the pledge, when I was told, *at ten o'clock at night*, that we were allowed *until ten o'clock the next morning*! I need not say how useless was this offer, and how utter the fallacy of any distinction that may be imagined between the sending of this letter and document, and the serving upon me at once of the presentment.

Thus it appears, that although it had been boastfully vaunted, as early as about the middle of October, that proof of guilt was in possession sufficient for my official destruction, and was deposited with Bishop Elliott, with whom Bishops Meade and Otey were soon connected, yet was it not until November 5th,

* At this time two of my Presbyters called on the presenting Bishops, and remonstrated with them on the shortness of the time allowed. They offered another day. So evident, however, was their *haste* to make up for *past delay*, and indeed so incompetent even the additionally allowed time to answer the purpose originally designed by my request and Bishop Elliott's promise—seeing that my past ignorance of the particular charges had allowed me no opportunity of preparation—that the real character of the procedure was not thus materially altered.

that I was apprized of their readiness to proceed. Meanwhile, if I am rightly informed, they gained no new affidavit, nor could aught be found against me for a period more recent than nearly two years and a half. Ample opportunity, however, had thus been afforded to my enemies for prosecuting their designs. Nor was it unimproved by them. Every effort was made to ruin me in the estimation of the church and the world. The most bare-faced falsehoods were circulated verbally and through the press. Through the influence of the latter, my character and conduct were subjected to the most scurrilous abuse in all parts of the country; an evil which, it is obvious, pampering as it does the basest and most malignant, but not on that account the least welcome, passions and affections of the natural heart, it is hard and toilsome for virtue and integrity to arrest.

Such was the cruel treatment to which I was subjected by the delays of the presenters, and the abominable practices against me which those delays encouraged; when, as appears by the issue, *their* work could have been as well done at least a fortnight earlier. No one need be told how much, through press and tongue, a fortnight may accomplish, in the work of evil speaking, lying, and slandering, when an aggravated case is sought to be made out, and the ruin of an obnoxious individual is the object.

To the above letter of the three Bishops, I sent the following reply:—

“TO THE RIGHT REVEREND

“BISHOPS MEADE, OTEY, AND ELLIOTT.

Brethren:

“Your communication of yesterday was handed to me last evening.

“You are mistaken in supposing that in what I say of “plans, means, and efforts,” in my short address to the clergy and people of my charge, I had any reference to yourselves. I referred to what I understood to be the movements of the two clergymen and three laymen of whom you speak, and of others prompted by them; and especially the plans and efforts for obtaining the presence and services of the Rev. James C. Richmond, a brother who, for whatever erroneous course he may pursue, is probably more entitled to pity than blame; and who, I may observe

here, not a month before the meeting of the General Convention, had called on me, and expressed a warm desire to return to my diocese, that he might *stand by me* in my troubles, and *be my friend*. Whether, however, they who make use of such a one are equally exempt from blame, I leave to sound principle and correct feeling to determine.

"In what I say of not being allowed to see statements made against me, I frankly confess that I do refer, in part, to Bishop Elliott. He had the papers. He knew I wished to see them: He knew I asked to see them. He knew I desired an interview with him respecting them. He refused both to let me see them, and to converse with me about them. I consider what was at length done in reading them to some of my friends by no means an equivalent to the act of justice and brotherly regard which I asked. It was yielded, as I was told, not without difficulty. The like was refused to others of my friends who earnestly sought it; and in the measure and mode in which it *was* conceded, I was not allowed the common justice of selecting the friends to whom that would be granted as a boon which was equitably due. I have no fault to find with the choice which was made; but I contend that the choice should have been *my own*. In this matter of refusing me a sight or hearing of the accusations brought against me, and leaving me to gather a knowledge of them from the impressions made on, and the recollections had by, friends not of my own choosing, Mr. Trapier, and those associated with him, are connected in my mind with Bishop Elliott; and I am not aware in what exact measure they are respectively to be held responsible.

"Your view of the opinions expressed by the Bishops, touching the true character and relations of presenters, is, according to my recollection, not strictly accurate. It appears to me that it was generally understood that presenting Bishops sustained a position differing in many important respects from presenters or prosecutors in civil or criminal courts. While their relation to the church is that of jealous guardians of its purity, good repute, and interests, they should also sustain to the accused the relation of friend and brother, bound to him by very near sympathies, and acting as a shield and defence for him against the malice of the world, and the persecutions of public rumor and accusation. Hence I certainly gathered it to be the general opinion of the Bishops, that the fraternal relations between the accused and those who may move in the matter of his presentment, were not to be sacrificed; but that *he* should expect, and *they* should concede, all opportunity on his part to place his explanations and counter-statements in the opposite scale to that in which the assertions of his accusers were cast, for such consideration as to those his episcopal brethren may seem right in the full acting out of their solemn obligation so to minister discipline as not to forget mercy, and be so merciful as not to be too remiss.

"It is a matter of unfeigned surprise to me, that in your enumeration of the

opinions of the Bishops, relative to the character, relations, and duties of presenters, you should have omitted an item of very great importance, included in Bishop Elliott's able and clear remarks on the subject. I allude to *malicious motive*. He emphatically stated this as a matter to be looked into before any Bishops should consent to be presenters. I have heard it spoken of by brother Bishops as evidence of his high, honorable, and just principles and views. How could you have omitted it? It necessarily supposes *an opportunity to the accused of being heard*.

"In the present case, brethren, if the opportunity were given which Bishop Elliott's repeated pledge was justly deemed to secure, I assume that a clear case of malicious motive may be made out; that other views than regard for the purity of the church may be shown as lying at the foundation of this movement; and that a well defined conspiracy, not, it is to be feared, falling short of our own house in its comprehensiveness, may be made manifest.

"Your expressions, brethren, of kindness and friendship, are very well. There are a practical extent and operation, however, in these virtues, enforced by sound morals and Christian principle, which require something more than words as evidence of the truth and sincerity of the profession of them. Now, what evidence have I had in reference to yourselves? For the last few days of my continuance in Philadelphia, the conduct of each of you towards me was the reverse of fraternal, friendly, or courteous; and any thing but indicative of your being governed by the essentially just maxim of esteeming a man innocent until he is proved guilty. It was very obvious that you had prejudged my case, and secretly pronounced me guilty. Of Bishop Elliott I sought a brotherly interview, which he denied me. Since your arrival in this city, not one of you has been near me. You have been among my people, preached to them, to a certain extent sought their money for your dioceses; used the sanction which myself gave you for doing so; and yet not paid me the ordinary official courtesy of a call at my residence. You have had your ears open to all the gossip and scandal which men reducing themselves to the low caste of informers and panders could seek out and scrape together for the use of my inveterate enemies. It being thus known that there were Bishops here who made it their business to receive, examine, and sift such testimony, has done more to bring public scandal on the church than all else connected with this business, and has given an intensity of malignant effort to men desperately set upon my ruin. You have thus been the means of creating the public rumor which is, I understand, an assumed ground of action for the defence and purifying of the church. Thus have you contributed to make me, and through me our office, our church, and our religion, a scoffing to the profane: and done not a little to aggravate my wretchedness, and help the purpose of my enemies to bring on my ruin. Contrast with all this what you say of friendly and Christian feelings towards me.

"You speak of having 'been enabled to clear up satisfactorily one of the most *disagreeable* of the charges which had been laid before' you. What this is, you say not. Report, before I left Philadelphia, and since I came home, has said that you were in possession of an affidavit charging me with presence in a house of ill fame. The report, as was to be expected, spread widely. As was also to be expected, it swelled in character until the *act* was magnified into a *habit*. As my *friends*, you were bound to give me at once the name of my false accuser, that he might be summarily prosecuted for his villainy. Is it possible that this is the '*disagreeable*' thing to which you so coolly advert?"

"Had you allowed me the opportunity which Bishop Elliott's pledge made my right, I might have enabled you to clear up other charges against me.

"The subject of your professed kind and friendly feelings toward me is inseparably connected in my mind with peculiar circumstances relating to two of your number. Of Bishop Meade I was asked, two or three days ago, whether I considered him my friend. The question was put by a gentleman who had been in Virginia, and who said that his doubts on the subject were the result of what he had there heard, I think from the Bishop himself. I cannot but connect this with his present position, and particularly with his effort, at the late General Convention, to get rid of me, that he might, in my absence, make my character the subject of remark among my brethren.

"Of Bishop Otey, too, I am compelled to speak, in this connection, though with great pain. At different times an inmate of my family, much beloved and esteemed by them, he has not now called to see us. He has avoided all intercourse with me. He has, as one of you, been accessible to all sorts of stories against me, and such as he must know my enemies design to push to my ruin and degradation, and to the wretchedness and penury of my family. He can yet find it in his heart to give me no chance of explanation; and still unite in professions of brotherly regard and Christian kindness.

"Had Bishop Elliott's pledge, brethren, been redeemed in its true spirit and meaning, I could have added various considerations not unmeet to have been regarded by you in connection with the question of presentment. So obvious, however, is it that your minds are set, and your determination formed, that I cannot but regard such considerations as useless. I leave the whole matter in your hands; willing to meet any investigation which you may think fit to institute.

"Deeply grieved at what I cannot but think the unjust and ungenerous treatment which I have received at your hands, I still beg you to be assured of the continued prayers for your individual welfare, and for a blessing on your official functions, of

"Your brother in Christ,

"BENJAMIN T. ONDERDONK.

"New York, November 6, 1844."

To this letter the following answer was received :—

“NEW YORK, NOVEMBER 9, 1844.

“ *Right Rev. and Dear Brother :*

“ Yours of the sixth instant, received by us on the evening of the eighth, requires only a few words in reply.

“ We consider the promise made by one of our number in Philadelphia as fulfilled in letter and in spirit by our communication of the fifth instant. We reiterate what we stated in that communication, that we have acted throughout this whole matter, in a frank and generous manner to you and your friends, and that there has been no secrecy, at any moment, in regard to our position, or the evidence received by us. We regret to perceive in your reply that the motives of our action are questioned; but in this stage of the business we deem it inconsistent with our duty to enter upon any discussion of that matter. We trust that the conduct of the trial will be such as to satisfy you that our single desire is to bring out the truth, and nothing but the truth, and settle these painful charges one way or the other. As the case is now in the hands of the Presiding Bishop, we must decline any further correspondence upon these matters.

“ Reciprocating your prayers and good wishes,

“ We remain your brethren in the church,

“ WILLIAM MEADE,

“ JAMES H. OTEY,

“ STEPHEN ELLIOTT, JR.”

On the ninth of November, the presentment, signed by the above-named Bishops, and the canonical summons to attend the trial, were served upon me.

The presentment contains internal evidence of its having been the wish of the presenters not only to bring me to trial on specifications of misconduct for which I ought reasonably to be held accountable, but also to make out as bad a case as possible, and to strengthen prejudice against me. What but this last desire could have induced them to frame the ninth article! This specifies nothing. It merely charges *sun-dry acts of impropriety during the space of the last seven years*. None will deny that the promptness with which it was thrown out by the court, was its bounden duty, and an act of mere justice. None, appreciating the righteous dealing which should characterize actions of this kind, will, I apprehend, justify such a charge. Will any doubt that it could have been seen to have no other bearing than to strengthen prejudice against the accused in the minds of his judges?

The greater number of the specifications are unsupported in the presentment by other affidavits than those of third parties, and one of them, it is believed, had no affidavit whatever in its support.

Intemperance was one of the immoralities with which, it was stated by the ostensible movers in this matter, in Philadelphia, I was charged by rumor. All that the presenters could find available on this subject, was an allegation of my having been under the influence of vinous or spirituous liquor, on one occasion, more than seven years before. How fairly the verdict of guilty was sustained by the evidence, will appear when that is made public. The charging of an insulated act so many years before certainly looks very like a resolution and endeavor to blacken my character as much as possible.

It appears by the presentment, as I have before observed, that notwithstanding the prying and untiring vigilance of my enemies, the presenters could lay nothing to my charge alleged to have occurred within a less period than nearly two years and a half last past.

With regard to the specifications generally, two remarks may be made.

1. They are assigned to periods of time so distant as to place the defence under peculiar disadvantages—a circumstance which, if I understand right, lies at the foundation of the just and righteous principle that gave rise to statutes of limitation. This delay in seeking redress was needless, as ample canonical provision for it had all the while existed.

2. The matters charged were such as, in their very nature, to preclude direct counter-testimony. The defence is necessarily confined to circumstantial evidence going to prove the improbability or impossibility of the charges, or defect in the credibility of the witnesses.

My plea of not guilty was made with a good conscience, and is still sacredly adhered to.* For its justification I must appeal

* It has been rumoured that in my address to the court, between conviction and sentence, I admitted the truth of the charges. The readers of that document will, I think, see that this was not the case. It is evident, from the very object of that address, that it ought to have been framed on the *supposition* of the sufficiency of the evidence for

to the testimony as it is to be laid before the church. Justice to myself, however, requires that I add thereto a few statements and considerations. I will take up the Articles of the presentment in reversed order, beginning with the seventh and eighth, which are essentially one.

Much stress is laid in the argument of the counsel for the prosecution upon a supposed admission by me of the facts therein charged. This, it will be perceived, rests on the testimony of witnesses who stated their want of precise recollection of circumstances occurring so long ago, and rather on their *inferences* than on a recollection of *words*. On this subject I submit, *as the true one*, the following statement:

There was between Mr. Beare and myself, while he was a candidate for orders, a stronger and more affectionate attachment than usually exists between Bishops and their candidates. His visits to me were frequent. He is the son of an old and valued friend of mine long since deceased. His widowed mother made me repeated visits to thank me for my interest in her son, and to commend him to my continued care, always adding assurances of his filial love and confidence towards me. His settlement at Little Neck was the result of arrangements made by me; and I gave him letters which secured him the friendship and confidence of the neighboring clergy. When I was called on, as stated in the evidence, by four Reverend brethren, and informed that the feelings of Mr. and Mrs. Beare had been wounded by me, my conscience acquitted me of all just cause for censure, and I was hurt at the allegation. Dr. Muhlenberg's account of the particulars, as derived from Mr. Beare, was a very confused and indistinct one. It rather hinted at than described them. It conveyed to my mind, however, enough to satisfy me that there had been great exaggeration on the part of Mrs. Beare, or great misapprehension on his. I adverted to the unfavorable position of one thus accused,

the verdict which *had been found*. This is the amount of the alleged admission. There will also be found in the address proof that enquiry into the evidence was only *waived* not *abandoned*.

inasmuch as the very nature of the allegation precluded direct counter-testimony, other than the asseveration of one interested party against that of another. I expressed, however, my desire to see Mr. Beare, and my confidence that I could satisfy him that there must be misapprehension. This interview then closed with the understanding that Mr. Beare was to call on me the next day. The account, confused and indistinct as I have said, given by Dr. Muhlenberg, of the alleged particulars, was all I ever had of them until I saw them detailed in the presentment. Had they been laid before me at this interview in the form given to them in that instrument, truth would have required my denial to be yet more positive.

On the following day, Mr. Beare called, accompanied by Drs. Milnor, Muhlenberg, and Higbee. He was evidently in much distress on account of the statements which he had heard respecting me. It has often been laid to my charge, by both friends and foes, that I am too confiding, and too apt to be swayed by the professions, sensibilities, and feelings of others. I will not now stop to say whether, notwithstanding the dear-bought experience which this has cost me, I would prefer to it a cold, suspicious, and repulsive temperament. Whether it was a weakness or not, I frankly confess I was *moved* by seeing Mr. Beare thus grieved at the idea of having been ill treated by myself. I saw a young man whom I loved with paternal affection, in tears because of supposed injuries inflicted by me. My own tears were drawn forth in sympathy. I gave vent to the honest impulses of my heart in expressions of deep regret that I should have been the occasion of distress to him and his wife; but disavowed all intention to be so, and any conduct which could be justly so regarded. In reference, I supposed, to my denial, on the preceding day, of what I understood to be his wife's allegations, he asked me whether I meant to impeach her veracity. Dr. Muhlenberg had said the day before, that Mrs. Beare had given her statement to her husband while under great excitement and agitation. With this in my mind, I replied in substance, that I did not mean to impeach her veracity, for that, under peculiar states of mind, imagination may often go beyond reality, memory prove treacherous, and erroneous impressions be conveyed, or erroneous statements given, without any

purpose of deception. I have no hesitation in avowing that a prominent feeling in my mind was a desire to soothe my young friend, and avoid whatever might tend to mar his happiness, and therefore to put the most favorable construction on what I knew to be his wife's erroneous statements. In reference to this, I added that it would be little consolation to me to relieve my own distress by adding to that of others. I do not remember that his question was repeated. If it was, I answered it in the same way. I was moved, by seeing his distress, to a repetition of my regret at having been, however unconsciously and unjustly, a source of pain to himself and his wife. I hesitated not to ask to be forgiven for it, and assured him that the most scrupulous regard to their feelings, and endeavor to promote their happiness, should hereafter show the sincerity with which I now addressed him. These sentiments, perhaps repeated by me, I desired him to communicate to his wife. He said he was satisfied, and hoped that she would be. The visitors soon took leave, all shaking hands with me. Rejoicing in the appearance of my young friend's having his mind relieved, and his wonted feelings of friendship for me restored, I pressed his arm with my hand as he left the door of the room. He took the hand in his, and returned the pressure in a manner which my heart did not fail to appreciate.

Whatever weakness the above detail may seem to indicate on my part, and however the issue may show me to have been *too confiding*, what I have said *is true*. Let it go for what of right it should, in the momentous question now at issue.

The counsel for the prosecution said emphatically, more than once, that if it could be made to appear that parties, who, in this suit, complained of having been seriously aggrieved, had since acted towards the alleged aggressor in a manner inconsistent with a sense of wrong and injury done them, this circumstance must go very far towards casting suspicion upon their complaints, and upon the testimony brought to sustain them. The justice of this must be obvious. It was the ground of much of the testimony adduced on the part of the defence. By that testimony it was clearly shown that I had received attentions from Mr. and Mrs. Beare, since the alleged outrage upon their feelings, totally inconsistent with the ground now

taken by them. To the evidence on this point, I have somewhat to add.

When Mr. Beare was asked as a witness at the trial, how soon after the circumstances alleged by him against me, he called on me? He said that it was a few months previous to his ordination as priest, thus naturally conveying the idea that the visit had a reference to that event. This is not so. The subject of his ordination was introduced by him at a later day, in a letter. His first visit was some three or four months after the time of the alleged insult, I having been, for the greater part of the intermediate period, out of the city. It was, to all appearance, a friendly visit, having no special business in view, not called for by any official etiquette, and therefore perfectly voluntary. It was, I confess, very grateful to me, as proof that his friendly feelings were entirely restored.

Among the evidences of conduct towards me, on the part of Mr. and Mrs. Beare, inconsistent with the idea of their having had their feelings wounded by me, prominence is given in the evidence, to an invitation to dine with them, and its being urged notwithstanding an invitation for me to dine, on the same day, with a highly valued friend, in whose family I had repeatedly been a kindly received, a hospitably entertained, and certainly a happy guest. The fact of my having had this latter invitation seemed, by their testimony, to have been strangely forgotten by Mr. and Mrs. Beare. The readers of the evidence, however, will have no doubt that it was given, and *was known by them to have been so.*

Additional evidence on this subject might have been brought before the court. I yielded, however, to the suggestion that the testimony of any of my own family might be considered objectionable. Appealing now to those whose heads and hearts will not suffer them to admit the objection, I hesitate not to give the affidavit of my son. It is as follows:

" CITY AND COUNTY OF NEW YORK, ss. :

" Henry M. Onderdonk, of the city of New York, being duly sworn, doth depose and say, that on Monday, the fifth day of August, in the year of our Lord one thousand eight hundred and forty-four, the Rev. Henry M. Beare, Rector of

Zion Church, Little Neck, Long Island, came into deponent's book-store, No. 25 John Street, in said city, at which time the following circumstances and conversation occurred :

"The said Henry M. Beare, after being in the said store a few moments, asked deponent if he were Bishop Onderdonk's nephew, and upon being answered in the negative, and told that deponent was Bishop Onderdonk's son, the said Henry M. Beare extended his hand in a friendly and cordial manner, and inquired particularly after deponent's father. The said Henry M. Beare then examined and selected some books, inquiring at the same time how deponent's business succeeded. A reply having been made, the said Henry M. Beare remarked that deponent's success was certain, as deponent's father had a numerous circle of friends, and thereupon promised to give deponent the benefit of whatever business he, the said Beare, might have in the book line.

"The said Henry M. Beare then entered into a general conversation with deponent, in the course of which he made mention of the difficulties he had to contend with in his parish, in consequence of the lack of education and refinement among his parishioners, and of its being a continued source of annoyance to him, by leaving him without any society congenial to his taste. He also referred to the pleasure derived from occasional visits of acquaintances from the city, and spoke of deponent's father's visit to his parish at the time of his ordination. He also stated that deponent's father had dined with him at that time, and that he had with difficulty persuaded him (deponent's father) to do so on account of a previous invitation given and accepted to dine elsewhere, and referred to that dinner with evident satisfaction and pleasure. The said Henry M. Beare remained in deponent's store from one-half to three-quarters of an hour, purchased some books, among which was a sermon written by deponent's father, and upon leaving, shook hands and tendered the hospitalities of his home on Long Island to deponent, and desired to be remembered to deponent's father.

"Deponent further saith, that in about three or four weeks after the said fifth of August, the said Henry M. Beare, again came into deponent's store, inquiring as before, in the same friendly manner, after deponent's father.

"Deponent further saith, that the substance of this affidavit was, to the best of his knowledge and belief, communicated to his father, before he heard or knew of any difficulty or difference between him and the said Henry M. Beare, and that it was made voluntarily, and without a request from any person what soever.

"HENRY M. ONDERDONK.

"Sworn before me, the 2d day of January, 1845.

"JAMES P. HOWARD, Commissioner of deeds."

From the above it appears that Mr. Beare not only knew of my previous invitation, but was also gratified at my having, *notwithstanding*, accepted *his*. The bearing of all this on the credibility of his testimony against me, is confidently left to the intelligent and christian-minded readers of that testimony.

The next specifications against me, in the retrograde order of time, are those numbered V and VI in the presentment. The circumstances are alleged to have occurred in the same family and on the same day, more than three years and a half ago. Here, too, the parties claiming to have been aggrieved, acted towards me, at subsequent periods, as it appeared by the evidence, in a manner which, the counsel for the prosecution being judge, was totally inconsistent with the idea of their having suffered indignity from me. Of the credit due to the evidence brought in support of their allegations, the Church will be able to judge by its perusal. Regarding that evidence, however, I have a general remark to make which will be appreciated by every reader who brings to the subject a proper estimate of the principles and requirements of sound christian morals. A defective view in a witness of the awful character and obligation of an oath, should, as with correctly thinking persons, it always does, detract from his credibility. The specifications now considered were founded on the affidavits of two sisters. The younger, Jane Rudderow, gives one of some length and minuteness. The elder, Helen, gives one occupying but a few lines, in which she swears *that every word of her sister's oath is true*. Jane's oath, however, contained many details of which Helen does not pretend to have been an eye-witness. That she should have sworn unqualifiedly to the truth of matters of which she had no personal knowledge, manifests a carelessness on the subject which certainly detracts from the credibility of her testimony. The juxta-position of the two affidavits on the same sheet of paper, is among the reasons for receiving the two as the joint act of the sisters, a view of the case which will not be denied to be a true one.

The moral influence, therefore, of this careless swearing must be regarded as extending to the question of the credibility of both. But this is not all. A more mournful consideration still, is the fact that the instrument containing these affidavits

is in the hand-writing of a minister of the gospel, the Rev. James C. Richmond. Of whatever defect of moral principle or moral sensibility this method of swearing shows to exist in *them*, the responsibility is certainly largely shared by *him*.

I ought further to state that until my visit to Philadelphia in October last, I never received by word or otherwise, the least intimation of offence having been given to the complaining parties in this case.

I now come to a period of more than four years, within which the presenters were not able to establish any thing to my disadvantage. More than seven and a half years ago, the circumstances are alleged to have occurred which are detailed in Articles I and II of the presentment. Of the second article, bringing against me the charge—the only one of the kind—of having been intoxicated that length of time ago, and drawing down upon me conviction of *being*, on that account, guilty of immorality, and subjecting me to punishment for the same, I have before spoken. I crave an unbiassed and just judgment of the evidence. It is, however, perhaps, no more than an act of justice to myself to add, as illustrative of the opportunity there was for intoxication, and the probability of its existence, that I had, on that day, in the morning, instituted the Rector of the parish, and preached on the occasion; that after dinner I had preached, administered confirmation, and addressed the persons confirmed; and that after this service, as soon as arrangements could be made, with a little delay owing to rain, we set out on our journey; the interval having been spent with one of the most respectable families in Ithaca.

Of the subject matter of the first article, I ask an unbiassed consideration of the evidence, and of what I have further to add in relation to it.

This case also presents a painful instance of insensibility, on the part of a minister of the gospel, to the awfulness and sacredness of an oath. The Rev. Clement M. Butler swears to a statement, drawn up with great minuteness, of circumstances said to have occurred more than seven years before the affidavit was made out; of the greater number and most important of which he had no personal cognizance; and with regard to which, although it was constantly within his power, he had not refresh-

ed his memory *during that whole period*. What was the consequence? *He swore to an untruth*—afterwards acknowledged by himself to be such. He swore that his wife told him what she never had told him, and what never occurred; and the point thus falsely sworn to constituted the most serious charge brought against me in the whole presentment—a charge which has done me more injury than all the rest put together—a charge which was naturally regarded by the presenters as giving to his affidavit its chief claim to their notice.

But I have not yet done with this cruelly and most unjustifiably false accusation. *Three different accounts of it* are sworn to by Mr. Butler and his wife. He swears to it, in his affidavit, as a fact communicated to him by his wife *at the first stopping place on our journey*. Having been afterwards told by his wife that this was not so, for the circumstance sworn to had never occurred, he swears in court that the mistake arose from something his wife said to him *in the carriage*. She swears that she never *said* any thing to him of the kind; but that he must have derived his mistaken idea from some *gesture* of hers, designed to illustrate another matter.

The published evidence will show other incongruities also between the oaths of this clergyman and his wife.

It is confidently left to men of sound sense and Christian principle, to say how far the claim of these oaths to implicit confidence is thus qualified.

I request those who may peruse the evidence to give heed also to the following extracts from a letter, written under date of December 27, 1844, to a clerical brother, by the Rev. Henry Gregory, the present Rector of St. Paul's Church, Syracuse, a clergyman whose name, with all who know him, is synonymous with the best official and personal qualifications for the holy ministry. He had made enquiries of parishioners who were intimate with Mr. and Mrs. Butler, and after stating the fact that she, Mrs. Butler, was "*not well at that time*," the time of her *going* to Ithaca—(a *fact* of which the readers of the evidence will not fail to see the connection with a pretence, therein set forth, of sickness as the consequence of her journey *from* Ithaca,)—he writes as follows:—

"After their arrival here"—at Syracuse on their return to Ithaca—"Mrs. Cooke saw Mrs. Butler, and heard her speak of the journey and the Bishop. She spoke particularly of the kindness of the Bishop to her, and said she could scarcely have made the journey, had she not had his support, (she leaning on him in her weakness;) but not one word did she say to Mrs. Cooke, (an intimate friend,) of any impropriety in the Bishop."

"Mr. Peck's* mother-in-law, (Mrs. Griffing, who is well acquainted with the Bishop,) is one of the communicants in this Church, and is now here. Her daughter, (Mrs. Peek,) is dead. I called on her to-day. She recollected the fact well, that Mr. Peck was driver on that occasion. I asked her if either *he* or *Mrs. Peck* ever said any thing about any impropriety in the Bishop's conduct during that ride. 'Nothing,' she said, 'that she ever knew.' She says, he was always in the habit of closely observing things; had a nice sense of propriety; and was accustomed to speak freely of things to his wife and to her, when he came home. That after his return from Ithaca, he spoke of the nice pleasant ride they had, and particularly of the Bishop's kind attentions to Mrs. Butler, as though she were his child. Mrs. Griffing feels very confident that if Mr. Peck had observed any thing wrong, he would have mentioned it. Mr. Peck is probably in South America. On the 27th October last, he wrote to Mrs. Griffing that he expected that day to start."

Respecting this letter of Mr. Gregory, Bishop Ives states to me his recollection that the account I gave to him in Philadelphia, of this ride to Syracuse, accorded exactly, in all material points, with that contained in the letter.

It is right that I here correct Mr. Butler in a matter entirely irrelevant to the main point, in which he betrayed his desire to wound and injure me as much as possible. The reader of his evidence will find a reference therein to circumstances connected with his ordination as Priest, directly calculated to prejudice my official character. I proceed to give the *true account* of the case; only premising that this is by no means the first time that my efforts to accommodate and favor others have been returned by ingratitude.

* Mr. Peck, spoken of by Mr. Gregory as a "very respectable man," drove the carriage. His name is omitted in the presentment. It became first known to the defence when mentioned in the testimony in court. Measures were immediately adopted for procuring his attendance. He had left the country, and the letter of Mr. Gregory arrived too late for any use of its contents on the trial.

In the year of this ordination, 1837, the diocese still comprised the whole state. The churches in Onondaga county were not, that year, to be visited by me in course. For the purpose of ordaining Mr. Butler, however, in his own Church, I made a special appointment for Syracuse, naming the 24th of May as the day. On that day, accordingly, I was in the parish. Unfortunately, the necessary papers from the Standing Committee had not arrived. The ordination, therefore, could not take place. This was a great disappointment ; it being much desired by Mr. Butler and his people that he should be ordained *there*. Anxious to accommodate them, I made another appointment for June 2d, although I knew that I could meet it only by very special and wearisome exertion. I expressed, however, the willingness, which I sincerely felt, to sacrifice all personal considerations to an object which I thought desirable in itself, and gratifying to a young brother, and his parish, whom I felt happy to serve. Accordingly, having passed the greater part of the preceding night in travelling thither, I arrived at Syracuse, at about ten o'clock, on the morning of June 2d. The hour of eleven had been appointed for the service. There was therefore, but one hour for all the needed personal and other preparations for the expected solemnity. The examination of the candidate was yet to be held. I expressed to the clergy present my great gratification, considering the emergency, that the young brother to be ordained had, within less than a year, completed an extended and satisfactory course of preparation for the ministry, under my constant supervision as a Professor in the General Theological Seminary of our Church, of which he had been admitted to the honorable rank of an alumnus. I mentioned this particularly to the Rev. Amos Pardee, the oldest presbyter present, to whom I looked for presenting the candidate, if he could conscientiously do so. I farther reminded him that presentment was on the double ground of *enquiry* and *examination*, and that the more satisfactory the *enquiry*, the less stringent need the *examination* be. Referring also to the urgency of the occasion, and my strong desire to gratify Mr. Butler and his people, and farther stating that his diaconate had been spent usefully and successfully, I put to him a few leading questions, but was compelled

to leave him principally with Mr. Pardee and at least one other presbyter, to institute such examination as their sense of duty might require, and the present emergency allow. So much for the matter of the ordination, which Mr. Butler attempted to turn to my discredit and injury.

In the present instance, too, I never had the least intimation of offence given, until last October, in Philadelphia; that is, until more than seven years since it is alleged to have been given.

There appears to have been, in the whole of the preparation for subjecting me to the late trial, a singular, and certainly a most unchristian effort, to evade *the possibility of failing* in that design, by not allowing the chance which our Divine Lord provides for his followers, of avoiding *public discipline* by the beneficial influence of *private remonstrance*. And surely not less singular and unchristian is the disposition thus manifested, to resist the Saviour's gracious purpose, in this blessed provision, of warding off scandal to His church. Three of the prominent actors in this matter, the Rev. Messrs. Paul Trapier, John B. Gallagher, and Clement M. Butler, had been connected with me by the sacred tie of Christian instructor, and Christian pupils. Not one of them ever uttered to me a word indicative of wounded feeling, of knowledge of charges against me, or of solicitude for what might be the consequence of evil report on one who had ever treated them as a father and a friend. The first that that father and friend knew that any of them had aught against him, was his finding them, as his formal accusers, arrayed for bringing down upon him the strong arm of the Discipline of the Church. How far their conduct admits, not of the *excuse* (for there can be none,) but of the *explanation*, that there were malignant promptings behind them, not yet *fully* brought to light, is what, in the providence of a just and righteous God, may hereafter more clearly appear. Had they adopted the course which was bounden upon them as Christian men and Christian ministers, it is morally certain that they had not been guilty of inflicting such wounds on the Church, and bringing such wicked scandal on its holy cause. Having been the means of producing excitement against me in a distant part of the country, heightened and rendered efficient by co-operation with enmity to my religious principles, they found willing co-adjutors in the work of

stirring up strife within my own diocese. An agent from another distant state was employed, who, loudly proclaiming his work, in domestic circles, in places of public resort, among the masses congregated in travelling vehicles, any where and every where affording a hearing ear, spread the matter far and wide, and set ten thousand tongues at work to spread it further. The press took it up, even in the lowest and most malignant form and spirit in which that mighty engine can do its work. Thus was there *made* a public rumor to which, three weeks before, this diocese was an utter stranger, and which was assumed as ground for instituting the trial, and pushing it to the conviction and punishment said to be demanded by the thus disturbed community. I was the victim whose sacrifice was to meet the demand.

My original plea of *not guilty* is here solemnly renewed. It respects both *the purpose of my heart and the misconduct alleged*. But let me not be suspected of putting forth any proud claim to exemption from frailty and sinfulness. While truth would be sacrificed did I profess consciousness of having justly incurred the verdict which has been awarded me, God knows that I presume not to absolve of guilt before Him, in the perpetual sinfulness of my heart, and in daily leaving undone what I ought to do, and doing what I ought not to do. And God forbid that I should not be humbled under a sense of the too successful betrayments, in each of these classes of omission and commission, into which I am often thrown. They are perpetual calls for contrition, humility, and repentance. May I have grace not to suffer them—God forgive me if I am wrong in the humble hope that I *do not* suffer them—to pass unheeded!

It has pleased my Maker to give me—friends and enemies unite to tell me so—a heart inclined warmly to reciprocate friendly affection, to yield to its reality or appearance in others, and to be unsuspicious of deceit in professed friends. I have carried this too far, and trusted too fully that my own unconsciousness of any other than right emotion, entered also into the apparent sympathy with which I was met. As the result, exaggerations, distortions, mis-statements, have turned to ill what was really so neither in intent nor in deed. Evil, totally

undesigned and unthought of by me, and not justly attributable to me, has, by this means, been done to a cause dearer to me than life. I humbly trust that I have profitted by the bitter experience, and earnestly pray—and ask the faithful fervent prayers of the beloved clergy and people of my diocese in my behalf—that this profitting may appear in all that, in my character and conduct, may pertain to the glory of God, the cause of His gospel, and the purity and prosperity of His Church.

I know not how extensively efforts may still be in progress, and yet be multiplied, against me. There are propensities in the natural heart which foster even a *love* for rendering the unhappy still more miserable, for trampling the fallen still more deeply in the dust, for closing the door to all influence of the re-acting spirit of Christian justice and mercy, and for pushing malevolent design to the utmost gratification. *In the Lord put I my trust.* To Him, *as the Searcher of hearts*, I commit my cause.

I thank God that my connection with the diocese which I love so much, whose love to me has contributed so largely to my happiness, and in whose behalf I have so gladly and heartily, but, alas, so imperfectly labored, is not severed. I feel that this imposes upon me a most serious responsibility. I ask the union with my own, of the prayers of the diocese, that I may be rightly guided; may be ready and willing to sacrifice to duty all personal considerations; may not forget to cherish, as they should be cherished, reverence and submission to authority; may have grace to be free from unchristian resentment, for efforts that have been made, that may now be making, or that may yet be made, to destroy my character and influence; and may be led, in all that may devolve upon me, to such decision and such action, as will be approved by
THE LORD THE RIGHTEOUS JUDGE.

BENJ. T. ONDERDONK.

New York, January, 1845.



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